

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:03-00174-02

ANTHONY CLAYTON ROBERTS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On January 8, 2014, the United States of America appeared by C. Haley Bunn, Assistant United States Attorney, and the defendant, Anthony Clayton Roberts, appeared in person and by his counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a three-year term of supervised release in this action on August 8, 2013, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on October 27, 2011.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to report to the probation officer as directed on October 24 and November 21, 2013, and failed to submit monthly reports for October and November 2013; (2) the defendant used and possessed controlled substances as evidenced by urine specimens submitted by him on September 13, 2013, for amphetamine and methamphetamine; on September 25, 2013, for marijuana and methamphetamine; on December 5, 2013, for methamphetamine, benzodiazepines and marijuana; and the defendant's admissions to the probation officer on September 25 and 27, November 21 and December 5, 2013, as more fully set forth in the petition and amendment; (3) the defendant failed to appear for urine screens on October 9 and 29, and November 8 and 13, 2013; (4) the defendant failed to attend substance abuse counseling as instructed; and (5) the defendant failed to enter the seven-day inpatient detoxification program at Highland Hospital as directed by the probation officer; all as admitted by the

defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.


And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty (30) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit

another federal, state or local crime and the special conditions that (1) he spend a period of six (6) months in a community confinement center, preferably Dismas Charities, follow the rules and regulations of the facility and participate in drug abuse counseling and treatment as directed by the probation officer, and (2) once the six-month term of community confinement is completed, the defendant shall endeavor to raise the \$1,200 necessary to get his driver's license reinstated. If feasible, the defendant shall be transported directly from his place of incarceration to the community confinement center.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 24, 2014



John T. Copenhaver, Jr.
United States District Judge